



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

- ART. X.—1. *History of England from the first Invasion of the Romans.* By JOHN LINGARD, D. D. London. 1825.
2. *History of the British Empire from the Accession of Charles the First, to the Restoration.* By GEORGE BRODIE. Edinburgh. 1822.
3. *A Constitutional History of England from the Accession of Henry the Seventh to the Death of George the Second.* Second Edition. 3 vols. 8vo. London. 1829.
4. *History of the Commonwealth.* By WILLIAM GODWIN.

THERE is scarcely any topic more noble in itself, or more interesting to the human race, than *Constitutional History*; by which is meant the history of the progress of nations in the art of self-government. This term is no longer confined, as it once was, to the annals of Great Britain, and a few states which have sprung from her. Within the last half century, a great change has been brought about in this, as in many other particulars. Principles of government which were once treated as fanciful and absurd, or at least as suited only for the atmosphere of the British Islands, are now diffused, not as idle theories and shadowy speculations, but soberly and practically, over the fairest portions of both hemispheres. Constitutional liberty now beams on all North America, and a large portion of South America; and in the old world, is shedding its light over the ‘gay regions’ of France, and glances on the wretched remnant of the devoted population of Greece. Even in those countries of Christendom where free principles of government are not avowedly adopted, their influence is felt and acknowledged; the shackles of superstition and ignorance are yielding to the grasp of free inquiry; the two conflicting systems are placed in fair opposition, and we cannot doubt that the result will be such as the friends of rational liberty ardently hope for, and confidently expect.

While we contemplate this state of things with exultation, we are naturally led to look backward, and trace the progress of this giant power, from infancy to its present state. Our minds are involuntarily carried back to a remote period of English history. We watch with anxious gaze the frail barks which bear a few Saxon adventurers from the mouths of the Elbe, who carry with them that dauntless spirit, and those simple and primitive laws, which are to expand and flourish in the British Isles. One thousand years afterwards, a band composed of the descendants of these rude invaders, is seen preparing for a bolder

voyage, by which this spirit and these institutions are to be transplanted to a still wider field, where we fondly hope they are destined to arrive at full perfection. To follow the Constitution, through the different stages of its progress, from the establishment of the Saxon power in England, is a most interesting subject of inquiry, and one which, by a singular fatality, has been reserved for our day. The English nation has been in nothing more unfortunate than in her historians. While she was advancing step by step in the attainment of freedom, it was hardly possible that history should keep pace with her. In times of excitement, we do not look for philosophical history from contemporary authors. The actors in those great events which for half a century agitated the nation, could not be expected to be impartial narrators of them. That Clarendon should have leaned to one side, and Whitelock and Burnet to the other, is saying no more than that they were subject to the infirmities of humanity. Unhappily, however, passion and prejudice long survived the contest which produced them. The moment which seemed most favorable for the appearance of a British historian, after the House of Brunswick had become quietly established on the throne, was seized upon by Mr Hume; who possessed almost every requisite for the undertaking, but that without which all the rest are worthless—a fair and candid mind. At this time of day it is unnecessary to enlarge on the faults of Mr Hume's History of England. Like all great evils, this one has at length wrought its own cure. His misrepresentations are now so glaring, that the very party he intended to aid, has been obliged to turn against him in self-defence. In nothing is the progress of liberal opinions more clearly shown than in the fate of this historian. Notwithstanding the charms of his style, and the vigor of his intellect, no Englishman of sense pretends now-a-days to justify or defend him. Having devoted several pages in a late number to this subject,\* we shall merely add, that the works placed at the head of this article, are among the best antidotes to the subtle poison of this artful casuist. Dr Lingard, roused to indignation by the injury done to the Catholic Church, has taken the field in its defence. Mr Brodie has entered the lists as the champion of the English nation in general, against the assertion of Mr Hume that the condition of that people under the Tudors was much like that of Turkey at the period when he wrote. Both these writers

---

\* See North American Review, No. 61, for October, 1828.

are led by their zeal into some extravagance and occasional inaccuracy. In the ordinary style of partisans, they make the most of their respective cases, and leave the reader to his own deductions. Mr Hallam has had the courage to take the most dangerous ground of all, that of umpire between the parties, and of course must lay his account with blame from all sides. He has aimed at impartiality, and seems to have attained it, as far as it is attainable on such a subject. The wish to be impartial shows a liberal and honest mind, and such a mind can hardly fail to incline to what may be called the popular side of the grand question. He pursues with a steady eye the clew of the constitution, through the labyrinth of feudal tyranny and fanatical fury; when snapped by prerogative, or entangled by anarchy. His object is to exhibit the *English people*, and the ground they have stood upon, in all the changes of the government.

A theme more worthy can hardly be imagined; compared with it, how poor are the stories of the Continental states. The miserable squabbles of Guelph and Ghibeline, which for centuries fill up the annals of Europe, appear almost too trifling to be read. The rise of the Houses of Hapsburg and Brandenburg is but little better. One usurper succeeds to another; one elector takes his fellow elector prisoner, and carts him over Europe as a show. The blood of the people is shed to secure an appanage for the son of some needy potentate; while the people themselves are handed over from one ruler to another, with as little ceremony as cattle change owners at a fair. The history which has obtained the name of constitutional, is just the reverse of this. It is the only true history of man; and being founded on the principles of our nature, stirs up within us an irresistible interest. Time, instead of diminishing this interest, adds a value to the most remote event connected with it. The transactions of the reign of Charles the First, are infinitely more studied now than they were one hundred years ago; while the Spanish war of the succession, and the campaigns of Marlborough, which in their day filled the world with wonder, and shook Europe to the centre, are fast passing into insignificance.

Mr Hallam, has of course, confined himself to the constitutional History of Great Britain. In the foregoing remarks we have considered this but as one branch of the subject. He treats of the progress made by the English people in constitu-

tional liberty. The same principles modified by the peculiarities of climate and national character, apply to all governments which recognise certain rights on the part of the people ; whether under the form of a limited monarchy, restrained by the delegated voice of the nation, as in France and England, or under that of a pure republic, as in the United States. To follow up the subject, and point out the steps by which the vast revolutions now going on in the world have been brought about, is reserved for some other hand. To the citizens of these states, inquiries of this nature have a peculiar value, standing as we do on a middle ground ; tracing back our history on the one hand to the settlement of our own country, and thence to the infancy of British story ; while on the other, we have before us events certainly momentous, either for ' weal or woe.' Whether we consider then the importance of a correct knowledge of our own institutions, as citizens of a free state ; or the desire natural to all men to look forward and speculate on the probable condition of coming generations, the subject is full of interest. It becomes us to inquire by what means information in relation to it, can best be disseminated ; and particularly to ask ourselves whether it has hitherto had its proper share of attention in our places of education. At this moment there is no occasion to say anything in recommendation of the advantages of knowledge in general. All judicious observers are convinced, that the institutions under which we live, must owe their support to an enlightened, sober, and industrious population. The fate of our country is in the hands of its inhabitants ; and it must rise or fall as the character of the people is elevated or debased. In this point of view, the importance of a right education is incalculable ; and in no department of it is correct information more necessary, than in that of Constitutional History in its widest sense. It is the great excellence of republican forms of government, that they adapt themselves to the wants and circumstances of mankind. To know what those wants are, and what the experience of other nations has taught in regard to government, is essential to every man who would understand his duties, not only as a legislator, but as a citizen called on to judge of the conduct of his representatives.

The advantages of right notions on this point are so obvious, and the application of them so perpetually occurring, that it would seem as if no seminary which pretended to furnish a liberal education, should be without some provision for instruc-

tion in regard to it. Yet, strange as it may seem, there is no branch which has been so entirely neglected. We will not undertake to assert, that there is no professorship of History in the United States ; but we are quite sure that in no seminary in Massachusetts has provision been made until very lately for instruction in this department. Something may have been done for history in general ; but we are not aware that any steps have yet been taken to correct the ill effects which have resulted from the want of proper direction to students in English history. We infer this from the fact, which is sometimes mentioned as an evidence of improvement, ‘ that where one student read Hume’s History of England twenty years ago, ten read it now ;’ that is to say, that ten times as much prejudice, falsehood, and sophistry is imbibed, to be eradicated in after life, as was imbibed twenty years ago. That a young man might not be worse employed than in reading Hume, we will not undertake to assert ; but that any instructor in our day should place his work in the hands of a youth, leaving him to suppose that it contained the truth, is to us matter of no little surprise. It is certain that in England, his authority as to any event subsequent to the accession of the Tudor dynasty, would be received with ridicule. His misstatements are the more dangerous, because they are not the effect of passion or honest zeal ; but cool, deliberate, and artful. The weapons he wields are sophistry and sarcasm. He does not assail openly, but with a plausible affectation of impartiality, blasts a character by some sneering insinuation, at the close of a pretended encomium. This is the most dangerous of all modes of attack, because most captivating to the young and inexperienced reader. An instance may be cited in the character of Hampden ; whom he has not the effrontery openly to abuse, but insinuates that his high qualities were obscured by a morbid fanaticism, which would have evaporated in psalm-singing among the wilds of America, whither he was on the point of going ; and ‘ where,’ says Mr Hume, ‘ he could only propose the advantage of puritanical prayers and sermons.’ So says Mr Hume ; but history tells us, that Mr Hampden’s ground of complaint was, not only that he was not allowed to pray after his own way, but that if he did not conform, in this respect, to the prescriptions of my Lords Bishops, he was liable to punishment as a felon. To Mr Hume it no doubt seemed a small matter ; being indifferent to both creeds, he thought it a mighty foolish thing to quarrel

with genteel people about such a trifle. If the student wishes, however, to see both sides of the question, as between the Church and the Puritans, let him look into Neal. Nay, if he would make up a cool and deliberate judgment as to the ecclesiastical history of England from the Reformation, to the great measure which has carried gladness to the hearts of all friends of the human race, in the emancipation of the Catholic population of Great Britain; he must consult Dr Lingard and Mr Hallam. He must go back to the religious condition of England, before the dissolution of monasteries; not as it is represented by Protestants, but as he finds it on a fair comparison of conflicting authorities. He will there see that what is called the English Reformation, like all other human events, is one of a mixed character. He will see in those religious communities, which have been held up to execration, a great deal to admire and commend. The celibacy of the clergy, which has been the theme of so much reprehension, will appear to be not unsusceptible of plausible defence. That time which the married clergyman devotes to the care of his family, was supposed to be given up to the duties of charity and exercises of religion. If the testimony of Catholic writers may be relied on, these were much more regularly performed than we have been led to suppose. At all events, the estates which by the gifts of the pious had been appropriated to the poor through the medium of these establishments, were certainly in most instances devoted to their relief. Whether these estates were not much greater than was consistent with good policy, is of no moment; nothing could justify the conduct of Henry the Eighth in seizing on this property, and distributing it among his needy favorites, in violation of every principle of justice and humanity. As this measure grew out of his rapacity, so the Reformation had its origin in a still more unworthy motive. His resentment at the firmness of the Pope, in the matter of his divorce, transported him beyond the bounds of reason or decency. So determined was he to bring about an entire separation from the See of Rome, that the scruples of the most conscientious, and the services of the most faithful of his subjects, were equally disregarded. We have had the sufferings of Protestant martyrs rung in our ears from our cradles; but the two most illustrious of English martyrs, the enlightened Sir Thomas More, and Bishop Fisher, died, rather than abjure the faith of their ancestors, at the bidding of a tyrant.

The student will not have proceeded far in this inquiry, before he will begin to suspect that it is one thing to protest and another to reform. The English Reformation (setting aside religious belief, with which we have nothing to do at this time ; and looking at its effects on the grand object of constitutional inquiry, *toleration*) was anything but a change for the better. It has been well said by an ancient wag, that Henry the Eighth was a king with a pope in his belly. The power of the Papal See in England, had long been on the wane, and the natural jealousy of the interference of a foreign power kept it within bounds. Transferring the supremacy in religious affairs from the Pope to the King, added to the immense patronage arising from the disposal of the estates of the sequestered religious houses, gave a power to the crown which nothing could resist. The ferocious tyrant, who would trample on all rights to obtain this ascendancy, was not likely to be very scrupulous in the use of it. All writers agree in condemning the measures which followed the establishment of the Protestant religion in this reign. In the short one of Edward the Sixth, something was done towards the settlement of the church, but the accession of Mary brought about the reaction which such excesses are calculated to produce. This princess has become so proverbial for ferocity and bigotry, that one can hardly be allowed to suppose that any good quality had a place in her character. It may, however, be remarked that she gave one proof of sincerity, not very common among sovereigns, in relinquishing sixty thousand pounds a year, which had been taken to the crown, out of the plunder of the church. Whatever may have been her character considered by itself, she has been most unjustly dealt with in the comparisons that have been drawn between her and her sister Elizabeth. What Mary did from bigotry, Elizabeth did from policy and pride of opinion. The first inquisition established in England, was the Court of High Commission, which took its rise in an act of the first year of the reign of this Protestant princess. A more odious and oppressive tribunal never existed in any country. The fury of Mary's resentment fell upon those who had distinguished themselves in favor of the new religion. Her sister persecuted both Catholics and Protestants. She was a Catholic in all points, except the acknowledgement of the Pope's supremacy. She had mass in her private chapel, and ordered her bishops to expel all ministers who differed ever so little from the



discipline of the church by law established. The treatment of the Catholics was still more iniquitous than that of the Puritans. Camden and Hume, with other writers of the same stamp, would have it believed that no one suffered death for his religious sentiments under Elizabeth. What will be the indignation of the student, when he learns, that this is a miserable prevarication. No one was put to death expressly for professing the Catholic religion; but by an act of parliament, the professing of that religion under certain circumstances was declared to be treason, and for this species of treason many suffered; some writers make them amount to two hundred. Now, that the good Protestants of those days should have thought it treason to be a Jesuit, as honest Dogberry in his zeal ruled it to be flat perjury to call Prince John a villain, is one of those extravagances which party spirit is constantly committing. As to the man, who, two hundred years afterwards, under pretence of writing an impartial history, leaves such a fact unexplained, it may certainly be said that his statements should be received with the utmost caution.

We have not room to follow up this part of the subject at much length; but cannot quit it without remarking, that as in the early stages of the Reformation, the professors of the old and new religions pursued each other with unrelenting fury; so Churchman and Puritan, who had heartily concurred in the measures of severity against the Catholics, soon turned with equal rage upon each other. The result of this controversy is too well known to be dwelt upon. The Presbyterians, when they had demolished the church, found a sturdy band of Independents all ready to be persecuted; and the Independents themselves, who had fled to the rocky shores of New England for religious freedom, had hardly time to shelter themselves in their new country, when they fell foul on the refractory of their own number.

By the time the student has proceeded thus far, he will begin to ask himself, why it is that the Catholic religion has been always identified with persecution, while Protestantism and toleration have been considered synonymous. The answer seems to us a simple one.—Because the Catholic religion has been the most powerful. Wherever the power of the church and that of the state are the same, there will be intolerance. The cause lies not in this creed or that, but in man. A weak sect is always liberal, but we never have yet heard of any

which used power with moderation. The farther this inquiry is pursued, the more apparent will be the good sense which induced the enlightened framers of our constitution, to leave this matter where alone it belongs,—to the conscience of each individual. If there is anything of which the United States may justly boast, it is that they have brought this great question to the test of experiment with the most triumphant success. We have moreover the satisfaction to believe that other nations are advancing in the same path. The glorious event to which we just alluded, by which the Catholics of England have been restored to the right of citizens, is but a harbinger of better things. To all true friends of religious freedom, it is a joyful event; while it carries disquiet and alarm to those who profit by the abuses of the church of England. A reform in that establishment will be the inevitable result of the repeal of the test acts, and the Catholic disabilities. Not that the accession of votes in parliament will alone have this effect; but the same spirit which obliged the government to become the instrument of emancipation, will oblige it to go farther. The church itself is in no danger, if reasonable and just; but something will ere long be done to equalize the tythes, and the incomes of the bishops. Pluralities, non-residence, and sale of livings, by which the revenues of the church have been diverted from their proper use, and have become a mere temporal property, like any other estate, will fall before the influence of good sense and justice.

Parliamentary reform is not far behind; and the mention of it leads us to another very important consideration, which should stimulate the youth of our country to the study of constitutional history. For want of correct information in this particular, very erroneous ideas have been entertained among us in relation to the character of the American Revolution. To judge from some of the orations we hear on the fourth of July, one would infer that our ancestors had been subjected to the most debasing slavery, from which they had suddenly emerged to the happy state of light and liberty we now enjoy. On occasions like that just mentioned, a considerable latitude of expression is allowable; but the sort of rhodomontade which was once fashionable, and is not yet wholly banished, does great injustice to the characters of those who achieved the independence of this country. The inhabitants of these provinces had always enjoyed the rights of British subjects. So

jealous were they of those rights, that the mere attempt to wrest from them what they held so dear, roused them to the most determined resistance. In all the state papers of that period, it will be seen that the provincial legislatures, and afterwards the Congress, contended for the enjoyment of the plain right of British subjects; namely, that no tax should be laid upon them, unless at the same time they were admitted to the privilege of representation in parliament. This is the principle which runs through the whole controversy, and which the friends of American rights, both here and in England, laid down as the basis of their argument.

In order, then, to understand what was the ground on which the resistance of the colonies to the mother country was defended in the first instance, it is necessary that the student in American politics, should turn to the constitutional history of England, and inquire into the nature and origin of the British parliament. It was admitted on all hands that so far as the inhabitants of the British islands were concerned, the principle was undeniable, that representation and taxation should go together. To understand what is meant by this expression; to what extent it was literally carried into effect in the early period of parliamentary history; and how it has by degrees become rather a nominal, than a real privilege, the student must go back as before, to the time of the Plantagenets. He will not be long in finding, that the notion which has been supported in England, and finds some defenders in this country, that the rotten boroughs are a part of the constitution, and an essential part, is about as well founded as that pluralities and non-residence are at the foundation of all church discipline and sound doctrine. Mr Hume defends the Stuarts on the ground that they did no more than all their predecessors had done; and that the English nation at that day, were no more free, than the subjects of the Grand Seignior. This accomplished writer was not well versed in English law; and was very apt to infer, because a thing had been done, that therefore it had been lawfully done. Mr Hallam is too much of a lawyer for an historian, but has greatly the advantage of Mr Hume on constitutional questions, from his accurate legal knowledge. He does not rest satisfied with saying, Henry the Eighth did this, and Queen Elizabeth did that; but he goes on to inquire, Did they so because the people admitted their right to do it, or because they were too weak to resist? For the present pur-

pose, it will not be necessary to go farther back than the reign of Henry the Seventh ; and here we shall find, as in the case of religion, that we have been in the habit of looking but at one side. If religious zeal has portrayed ecclesiastical history, poetry has been employed on the characters and measures of sovereigns. Richard the Third has been taken upon trust, from Shakspeare. A bad man he certainly was ; and yet, if we may judge from the statute book, he was far from being the worst of English kings. An act passed in this reign, abolishing forced loans and benevolences, had more of spirit and sound policy in it, than any passed from that time to the meeting of the long parliament. An usurper he was ; but his successor was equally an usurper, quite as worthless a man, and a much more mischievous king. Under both these reigns, and part of that of Henry the Eighth, we find parliaments exercising a good deal of power, and sometimes showing not a little spirit. The immense accession of strength acquired by the crown, after the seizure of the church property, broke down the House of Commons, partly by intimidation, and partly by influence. If we would understand the ancient constitution of parliament, it will be necessary to look at it before this event. In the first place, by the mere act dissolving the monasteries, thirty-six mitred abbots who had been called to the House of Lords, were disfranchised. The House of Commons did not then vary much from its constitution at the present day, excepting that a considerable number of boroughs and some counties have been admitted to the right of representation, which did not at that time enjoy it. On the other hand, many places which then possessed a population to warrant this privilege, have since fallen into decay, and become rotten boroughs ; though several of them were created as rotten boroughs by Queen Elizabeth and other sovereigns, expressly for the purpose of political influence. This was the case with many of the Cornish boroughs which were particularly subject to coercion through the Stannary court. There can be no doubt that the rotten boroughs are an excrescence on the constitution, and as perfectly within the control of parliament as any other abuse whatever. On this point we shall quote the opinion of Mr Hallam, as to the origin and true nature of the House of Commons. He says,

‘ I must so far concur with those, whose general principles as to the theory of parliamentary reform leave me far behind, as to

profess my opinion, that the change which appears to have taken place in the English government towards the end of the thirteenth century, was founded upon the maxim, that all who possessed landed or moveable property, ought, as freemen, to be bound by no laws, and especially by no taxation, to which they had not consented through their representatives. If we look at the constituents of the House of Commons, under Edward the First, or Edward the Third, and consider the state of landed tenures and of commerce at that period ; we shall perceive that, excepting women who have generally been supposed capable of no political right but that of reigning, almost every one who contributed towards the tenths and fifteenths granted by the parliament, might have exercised the franchise of voting for those who sat in it. Admitting that in corporate boroughs the franchise may have been usually vested in the freemen, rather than in the inhabitants, yet this distinction, so important in later ages, was of little consequence at a time, when all traders, that is, all who possessed any moveable property worth assessing, belonged to the former class. I do not pretend that no one was contributory to a subsidy, who did not possess a vote ; but that the far greater portion was levied on those, who, as freeholders and burgesses, were reckoned in law to have been consenting to its imposition. It would be difficult, probably, to name any town of the least consideration in the fourteenth and fifteenth centuries, which did not at some time or other, return members to parliament. This is so much the case, that if, in running our eyes along the map, we find any seaport, as Sunderland or Falmouth, or any inland town, as Leeds or Birmingham, which has never enjoyed the elective franchise, we may conclude at once, that it has emerged from obscurity, since the reign of Henry the Eighth.'

We here see the British parliament in the vigor of its youth. The maxim that taxation and representation go together, is here carried into practice. It was no doubt intended that this principle should be kept up, and that the constitution should shape itself to the changing exigencies of the state. Can any man in his senses, suppose that the right to send members to parliament, was meant to be a property, saleable on 'change, like an exchequer bill ? It is impossible not to see that it is an abuse, which has grown up so gradually as to have escaped notice, until the holders of this species of stock were strong enough to keep ministers on their side, and prevent a reform. But like many other absurdities, it will pass away, not by the hand of violence, but by that resistless force of public opinion, which carries the government with it, in spite of itself. The student

in English history cannot but observe, that just in proportion as parliament lost its influence under the Tudors and Stuarts ; just in the same proportion, the other institutions of the country languished or became perverted. Judges were intimidated ; juries were punished for daring to give verdicts according to evidence ; and in some instances these very tribunals were converted into the worst engines of tyranny.

No man of the least reflection will hesitate to condemn the conduct of Charles the First, in his systematic attempt to dispense with parliament altogether ; nor will there be much more difference of opinion as to the maxim in the abstract, that taxation and representation should go together. And yet, when it is attempted to test the principle by a reform in parliament ; there are many in England, and some theorists in this country, who think it a most dangerous experiment, if not an absolute violation of the constitution.

To us, there seems to be no medium in theory, between dispensing altogether with the House of Commons, and admitting the propriety of parliamentary reform. The House of Commons, as now constituted, can be defended on no principle of representation. It has clearly not the sanction of antiquity in its favor, as appears by the paragraph just quoted ; and the most devoted admirer of things as they are, not even my Lord Eldon himself, will pretend, that if he were going to lay down a just and equal basis of representation, he would adopt that of the British Empire as it now exists. The argument drawn from the danger of innovation, is exceedingly weak and poor ; for when it is once admitted that some change is desirable, provided it could be made with safety, the question then presents itself,—By whom is this change to be made ? Surely the parliament which has power to keep up the system as it is, has power to limit reform within such bounds as it may think prudent. Whenever a change is made, it must be by the regular constitutional course ; unless we suppose a degree of blindness which seems not to belong to this age. In our time, as in all times, some men are wiser than others ; but in matters of government we believe the mass are grown wiser than of yore. Mr Canning foresaw years ago, what the optics of Mr Peel and the Duke of Wellington have but just discerned ; that they had to choose between Catholic emancipation and revolution. The prophetic mind of Fox foretold it all, and much more ; to him the abolition of the slave trade, Catholic emancipation,

and reform in parliament seemed certain events thirty years ago.

There can be but little danger in any reform which parliament will inflict upon itself. But the opposers of reform, after every other argument has failed, beg the question after this manner.—The present system must be the best, because under it the British Empire has risen to an unparalleled height of prosperity and renown. The only mode of answering this objection, is by analyzing it, to see what is meant by the assertion. If it is meant that the British nation is so wise and so happy, that it can by no possibility be made wiser or happier, there is no more to be said. If it do not go this length, it means nothing.

If we considered the question of reform in parliament as a merely theoretical one, and that so long as there is a parliament, it is of no moment whether it represent one class of the community, or twenty; we certainly should think that the time and talents which have been spent upon it, might have been better employed. We take, however, a very different view of the subject; and we are confident that he who diligently and impartially gives up his mind to the study of constitutional history, will perceive, that as, in the prostration of the House of Commons, fell the liberties and character of the English nation, so the abuses and defects (and they are many) which still exist in the government of that country, are owing to the want of a fair and equal representation in that house. The only practical attempt at reform in parliament, was that made by Oliver Cromwell, in conformity with the scheme adopted by the long parliament just before their dissolution. ‘This model,’ says Mr Hallam, ‘limited the number of representatives to four hundred, to be chosen partly in the counties, according to their wealth, or supposed population, by electors possessing either freeholds, or any real or moveable property to the value of two hundred pounds; partly by the more considerable boroughs, in whose various rights of election no change appears to have been made.’ In two parliaments summoned by the Protector, this basis was adopted; but the views then entertained by him, no parliament was likely to fall in with. Clarendon says of this measure, ‘It was then generally looked upon as an alteration fit to be more warrantably made, and in a better time.’ But Clarendon in exile at Montpelier, had many good ideas which never occurred to him while keeper of the king’s

conscience and manager of parliament. What is called the convention parliament, which recalled Charles the Second, was convened by Richard Cromwell after the old mode ; and thus ended parliamentary reform.

From that time to this, the unequal operation of the system has been daily becoming more and more apparent. If in the reign of Charles the Second, parliamentary reform was thought necessary ; what must be thought of it at the present time, when interests have grown up from inventions which were then unheard of, and cities have sprung into existence, whose population is greater than was then that of the counties to which they belong. Can a system be right which refuses to conform itself to the advancing condition of mankind ? Can it be believed that the East India Company would have procured repeated renewals of its charter, since the revolution of 1688, if the commercial interest had been fairly represented in parliament ? Would the odious monopoly of the corn laws have been allowed to go on as it has done, if the power of the landed proprietors in parliament had not been altogether disproportionate ? One abuse upholds another ; the owners of rotten boroughs get places in the Company's service for friends and relations, and the Company's servants think there is no occasion for reform in parliament. He who sits for old Sarum, feels tender on the mention of pluralities and non-residence in the church. The country gentlemen make a great point of upholding the game laws ; and the lawyers will not quarrel for that, if there is nothing said about the enormous abuses of the court of chancery, one of the greatest curses that ever lighted on any nation. The national debt, and the poor laws, are not strictly constitutional questions, because they might have grown up under any form of government. It may be observed, however, that the latter evil has been enormously increased by the restrictions on industry, arising from abuses we have enumerated. Nothing but a thorough acquaintance with the history of the British constitution, will give right views of this great question, and this knowledge can only be acquired in the works of English writers. Mr Hallam's is decidedly the best work on the subject we have yet seen. As to De Lolme and other foreigners, who have undertaken to handle it, they certainly inform those who knew nothing before ; but an accurate, discriminating account of the constitution, can only be given by one who knows practically the operation of it.



We have said that a thorough acquaintance with the constitutional history of England, is requisite to those who would understand our own. It will be found, moreover, that as we advance in the knowledge of it, we shall appreciate our own institutions more justly. The end of government being the equal protection of life, liberty, and property, to every individual, we shall ask ourselves, where is this object more perfectly accomplished, than in our own country? Seeing that no human institution can be perfect, we shall not show our patriotism by vamping and rant; nor on the other hand, shall we be prone to regard with nervous apprehension, the jars and animosities which arise from party violence or sectional prejudice. Some very worthy persons, who are sincerely attached to our government, are thrown from time to time into alarm, lest it should crumble under us, and leave us exposed to anarchy and violence. Such apprehensions do not seem to us to be founded either in sound views of the state of things at home, or a just appreciation of our condition in comparison with that of other nations. Ours is a government of opinion; it was well understood to be so in the outset. It is on public sentiment that its safety must rest. Bringing the question then to this test, what will be the conclusion as to the probable continuance of our present form of government? Forty years have now passed, since the United States have lived under the existing constitution. With what difficulty it was carried into effect; what prejudices it had to encounter, it is unnecessary to repeat. It was an experiment of a delicate nature; but one which happily has succeeded beyond the expectations of the most sanguine. When we look back at the fears and forebodings of that period, and compare them with the result of experience, the conclusion should inspire anything rather than despondency. The union was then a bugbear to some, and even the most confident could not but look forward with anxiety. What has the experience of forty years brought to pass? To say that the union is popular, is an expression so feeble as to excite a smile. Whatever difference may exist among us as to other questions, on this there is but one sentiment. The moment that the idea of a dissolution of the confederacy enters the mind, such a train of mischief succeeds, that we are glad to turn from it, let the evils on the other side be what they may.

So far, then, as public feeling is concerned, unless some very improbable change should take place, the permanency of our

government seems, to say the least, as likely, as at any time since its adoption. If we turn to other countries, we shall have no less reason to be satisfied with the state of things at home. Those who are disposed to undervalue our institutions, have only to cast their eyes, even towards those nations which are justly regarded as the most distinguished for civil and religious liberty. We have factions and political contests; but what other nation can look back forty years, and say, our factions and our contests have never ended in the shedding of each other's blood? Acts are sometimes passed by which the interest of one class or section is sacrificed to that of another; but the frequent return of elections is sure to work the cure. Abuses are not sanctioned by time, and incorporated in the body of the Constitution. Religious heats prevail among us, but they waste themselves in words. If any one wishes to see the contrast between our condition in this respect, and that which a church establishment brings with it, let him read the speech of the Duke of Wellington, in which he describes the state of parties in Ireland. The worst consequences of the dissolution of our government could scarcely exceed the state of things actually existing at that moment in that ill-fated country. If we would inculcate just views of our own government, and liberal and enlarged notions with respect to those of other countries, we should encourage the study of constitutional history,—not by a text-book, not as it presents itself to the mind of a single individual, but as a science. The subject of education is now fully appreciated, and we cannot doubt that this most important and delightful branch of it, will receive its full share of attention.